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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,507	02/20/2001	Robert Francis Squibbs	30002998US	6772

7590

10/06/2004

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EXAMINER

ELDER, JEREMY RYAN

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 10/06/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/788,507

Applicant(s)

SQUIBBS, ROBERT FRANCIS

Examiner

Jeremy R. Elder

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 2,3,7 and 8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-6 and 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2612

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4-6 and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Parulski et al. (US #5,633,678).

Regarding claim 1, Parulski et al. disclose a still camera for capturing images with categorizing means.

Art Unit: 2612

Parulski et al. teach of an image recording system for making image recordings (col. 2, lines 36-39).

Parulski et al. also teach of a memory storing a set of user IDs (col. 2, line 38) that have been pre-installed in the camera rather than set in by one or more users (col. 4, lines 59-66).

Parulski et al. teach of a user-operable selector control (toggle switch 54) for enabling user selection of a said user ID stored in the memory and for setting a current-user data item stored in the memory to indicate the most recently selected user ID (col. 4, line 66 – col. 5, line 3).

Parulski et al. disclose an identity association arrangement by storing images into categories that are indicated by symbols names or graphic overlays. Upon recording an image is stored associated with the category or ID “tag” that was selected by the current user before capture (col. 4, line 56 – col. 5, line 3).

4. Regarding claims 4 and 9, Parulski et al. disclose the set of user IDs comprises user IDs in the form of icons (col. 4, lines 59-66).
5. Regarding claims 5 and 10, Parulski et al. disclose the image recording system capturing an electronic image and storing it in memory in association with the user ID indicated by the current-user (col.4, line 66 – col. 5, line 3).

Art Unit: 2612

6. Regarding claim 6, Parulski et al. disclose pre-installing a set of user IDs in a memory of a camera prior to use by a user (col. 4, lines 59-66).

Parulski et al. disclose having a current user of the camera select one of said set of user IDs using an input selector of the camera, and storing an indication of the selected user ID in the memory of the camera (col. 4, line 66 – col. 5, line 3).

Parulski et al. disclose that upon the current user taking an image recording using the camera, the image is associated with the user ID currently indicated by the stored indication (col. 4, line 66 – col. 5, line 3).

7. Regarding claim 11, Parulski et al. disclose that user is able to customize their IDs using a host computer. The user then uploads the information from the computer to the camera. Given that the only on-camera controls are a toggle switch and a select button, it is inherent that the camera does not provide a user operable input arrangement by which the user could input a user ID for storage in said memory.

Conclusion


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy R. Elder whose telephone number is (703) 305-4693. The examiner can normally be reached on M-F 800-430.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on (703) 305-4929. The fax phone

Art Unit: 2612

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WENDY R. GARBER
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TECHNOLOGY CENTER 2600